

Informal Workshop on Draft Regulatory Text for Revisions to Title 14 and 27

Thursday, November 15, 2012

9:30 AM – 3:00 PM

CalRecycle Riverside Office
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Riverside, CA 92507

Workshop Agenda

1. Introductions

2. Workshop Objectives

3. Overview/Key Provisions

- Issue 6: Green waste contamination
- Issue 2: Land application: disposal or beneficial use
- Issue 1: Food waste definition

4. Open Discussion

5. Next Steps

6. Adjourn

Introductions

Workshop Objectives

Provide overview of initial discussion draft text

Open discussion

Issue 6: Green Waste Contamination Overview

Current regulations require green material to contain no greater than 1.0% physical contaminants by weight.

Stakeholders have indicated:

Green material can exceed the 1.0% contaminant limit

Difficult for operators/LEAs to visually evaluate physical contaminants

1.0% physical contaminant limit is hard to enforce.

Issue 6 - Green Waste Contamination

Key Provisions

Keep 1.0% physical contaminant limit by weight

Require operators to increase visual inspections of incoming loads

Require operators to take samples of incoming loads

Require operations to take a representative sample of product and send to a laboratory

Require facilities to take a representative sample for every 5,000 cubic yards of product

Require compostable material products to meet 0.1% physical contaminant limit by weight.

Issue 6: Green Material Contamination

§ 17852. Definitions.

SUB-SECTION	SUMMARY
(a)(21)	<p>“Green Material” ..., contains no greater than 1.0% physical contaminants by weight, ...</p> <p>Green material does not include food material, <u>vegetative food material</u>, ...</p>
(a)(32)	<p>“Physical Contamination” or “Contaminants” means human-made inert material contained within feedstocks, including, but not limited to, glass, metal, <u>hard plastic</u>, and <u>film plastic</u>.</p>

Issue 6: Green Material Contamination

§ 17868.5. Green Material Processing Requirements.

SUB-SECTION	SUMMARY
(a)(1)	<p>A minimum of one<u>ten</u> % of daily incoming feedstock volume or at least one truck per day, whichever is greater, shall be inspected visually.</p> <p>The load shall be rejected if physical contaminants are greater than 1.0% of total weight <u>or if the load contains materials that do not meet the definition of green material</u></p>
(b)	<p>Upon request of the EA, <u>and in the presence of the EA</u>, operations take representative sample of feedstock, physical contaminants shall be collected and weighed, and the percentage of physical contaminants determined</p>

Issue 6: Green Material Contamination

§ 17868.3.1. Physical Contamination Limits.

SUB-SECTION	SUMMARY
(a)	<u>Products derived from compostable materials shall not contain more than 0.1% physical contaminants greater than 4 millimeters by weight.</u>
(b)	<u>Upon request of the EA, operations take representative sample and send to laboratory to determine percentage of physical contaminants</u>
(c)	<u>Facilities take representative sample every 5,000 yd³ and send to laboratory to determine percentage of physical contaminants</u>

Issue 2 - Land Application: disposal or beneficial use Overview

Application of compostable materials to agricultural land is beneficial use if it meets CDFA requirements.

There is a need to better determine when land application is considered disposal.

Issue 2 - Land application: disposal or beneficial use

Key Provisions

Establish criteria for determining when use of compostable material and compost is considered disposal

- limits on storage time
- application depth & frequency
- physical contaminants.

Issue 2: Land Application and Beneficial Use

§ 17852. Definitions.

SUB-SECTION	SUMMARY
(a)(15)	“Disposal <u>of compostable material</u> ” means:
(a)(15)(A) 2.	<u>storing or stockpiling more than 200 yd³ of compostable material, other than stabilized compost that meets §17868.2 [metals], on land for ... more than six months 72 hours, except as provided in paragraph 3.</u>
(a)(15)(A) 3.	<u>storing or stockpiling more than 200 yd³ of agricultural and or green material, other than stabilized compost that meets §17868.2 [metals], for more than twelve months on prime agricultural land ..., unless the RWQCB in EA, after consultation with the EA-appropriate RWQCB and other agencies as the EA <u>deems appropriate</u>, makes a written finding that <u>storing or stockpiling the material ... more than 12 months will not adversely affect public health safety or the environment</u></u>

Issue 2: Land Application and Beneficial Use

§ 17852. Definitions.

SUB-SECTION	SUMMARY
(a)(15)(C)	<p data-bbox="357 492 1825 535">“Land Application <u>of Compostable Material</u>” means <u>either of the following</u>:</p> <ol style="list-style-type: none"><li data-bbox="357 606 1835 878">1. <u>The application to land of compostable material that -</u><ul style="list-style-type: none"><li data-bbox="357 664 1729 706">• <u>does not contain more than 0.1% physical contaminants by weight,</u><li data-bbox="357 721 1835 763">• <u>is applied not more frequently than once during a 12-month period, and</u><li data-bbox="357 778 1777 878">• <u>at the time of application, does not exceed an average of 12 inches in total depth.</u><li data-bbox="357 949 1845 1220">2. <u>The application to land of compostable material that -</u><ul style="list-style-type: none"><li data-bbox="357 1006 1806 1049">• <u>does not contain more than 0.1% physical contaminants by weight and</u><li data-bbox="357 1063 1845 1220">• <u>the EA has received confirmation that the California Department of Food and Agriculture has determined the land application to be agronomically beneficial.</u>

Issue 2: Land Application and Beneficial Use

Note: The Initial Discussion Draft Text for Issue 2 currently states that compostable material applied to land shall contain no more than 0.1% physical contaminants at the time of application.

In response to stakeholder input, CalRecycle intends to continue discussing these issues and broaden the discussion to include the need for pathogen and metal limits, similar to the limits required of compost prior to the material leaving a composting site.

Issue 1- Food Waste Definition

Overview

Current definition is general

Does not distinguish between various food waste types

Food material composting requires a Compostable Materials Handling Permit.

Issue 1- Food waste definition

Key Provisions

Expand food material definition

Add “vegetative food material”

Allow green material composting operations to accept vegetative food material & obtain a Registration Permit as a “Green/Vegetative Food Material Composting Facility”.

Food material composting still requires a Compostable Materials Handling Facility Permit.

Issue 1: Food Material Definition

§ 17852. Definitions.

SUB-SECTION	SUMMARY
(a)(20)	<p>“Food Material” means any<u>a material that was acquired for</u>resulting from<u>the production or processing of food</u> for animal or human consumption, <u>but is no longer intended for such consumption, ...</u></p> <p>Food material may<u>includes, without limitation, material-food waste</u> from food facilities (H&SC 113785-113789), <u>food processing establishments (H&SC 111955)</u>, grocery stores, institutional cafeterias, or<u>and</u> residential food scrap collection.</p> <p><u>... food material does not include ...</u> <i>Concept: materials that are required to be disposed only by renderers, pet food processors or other approved methods pursuant to the California Food and Agricultural Code</i></p>

Issue 1: Food Material Definition

§ 17852. Definitions.

SUB-SECTION	SUMMARY
(a)(20)(A)	<p><u>“Vegetative Food Material” means food material ... that is solely from plants</u></p> <p><u>...</u></p> <p><u>Vegetative food material may be processed or cooked but must otherwise remain in its essentially natural state and no salts, preservatives, fats or oils, or other adulterants shall have been added.</u></p>

Open Discussion

Next Steps

Information on the Rulemaking Process

Compostable Materials, Transfer/Processing Rulemaking

<http://www.calrecycle.ca.gov/Laws/Rulemaking/Compost/default.htm>

CalRecycle: Compostable Materials, Transfer/Processing Rulemaking Listserv

<http://www.calrecycle.ca.gov/Listservs/>

Send Written Comments to: compost.transfer.regs@calrecycle.ca.gov.

Staff contact: Ken Decio at (916) 341-6313 or Ken.Decio@CalRecycle.ca.gov

Adjourn